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SERBIAN MAN WHO LIED ABOUT HIS MILITARY SERVICE ORDERED DEPORTED AS PART OF PLEA DEAL

Judicial order of removal is a legal first for Arizona

PHOENIX – A former member of the Serbian army who concealed his military service to qualify for refugee status in the United States was ordered removed to his native country of Bosnia-Herzegovina yesterday by a federal judge.

The order, which marks the first time a judicial order of removal has been entered in U.S. District Court in Arizona, came as part of a plea agreement between Rajko Ninkovic, the U.S. Attorney for the District of Arizona and U.S. Immigration and Customs Enforcement (ICE).

Ninkovic, 63, who entered the United States as a refugee in 1998, pleaded guilty to immigration fraud and received a 12-month suspended sentence. As part of the agreement, he admitted that he lied on his applications for refugee status and permanent residence by stating he had never served in the Serbian military. The agreement also required Ninkovic to give up his refugee status and agree to be removed to Bosnia-Herzegovina.

Ninkovic was one of 13 Bosnians in the Phoenix area indicted last September on federal criminal charges for failing to disclose on their immigration paperwork that they previously served in the Serbian military. Due to the atrocities committed during the Bosnian conflict in the early 1990s, some people from this region who claim refugee status in the United States hide the details of their military service.

U.S. Attorney Paul K. Charlton said of the case, "Those who lie about their military service in order to fraudulently obtain entry into the United States will be aggressively dealt with through the judicial process."

"Today's action is an important victory for ICE," said Roberto G. Medina, special agent-in-charge of the ICE office of investigation in Arizona. "Immigration benefit fraud undermines the integrity of our nation's legal immigration system. This case should send a clear message that ICE is working aggressively to ensure that those who perpetrate this kind of fraud do not go unchecked or unpunished."

Ninkovic remains in ICE custody until his removal date, which is yet to be determined. The investigation in this case was conducted jointly by ICE and the FBI. The prosecution was handled by Andrew Pacheco and Lisa Settel, Assistant U.S. Attorneys, District of Arizona, Phoenix.

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